Numb. 10.

Heraclitus Ridens.

AT

A DIALOGUE between *JEST* and *EARNEST* Concerning the *TIMES*.

From Tuesday, August the 31*th*, to Saturday September the 4*th*. 1703.

Jeſt. WHat ſtill in the Dumps? I never met with ſuch a Man in my Life. *Heraclitus* has a rare Comforter in you, we ſhall never dry up the old Fellow's Tears at this Rate.

Earn. This curſed *Obſervator*'s Doctrines, ſtartle me ſo, that all Merriment has left me.

Jeſt. Fye upon it, never mind what he ſays, he is too well known to be truſted—— His Papers are the beſt Cure for a Fit of the *Spleen* imaginable. And are excellent Opiates to Lull a Man to Sleep with.

Earneſt. Look upon *Vol.* 2. *Numb.* 10. and you will be of another Opinion. When he makes his Remarks upon that Receiv'd Maxim of *The King can do no Wrong.*

Jeſt. Why truly there is ſomething in this. It points at very dangerous Conſequences, and the Concluſion of his Argument tends towards the Breach of the Oath of Supremacy, which *abhors Depoſing of Kings.* You would oblige me with ſome Remarks upon him, for as I take it, it lies in your Sphere to Handle him as he ought to be.

Earneſt. I ſhall never be backward in doing my Queen and Country the beſt Service I can, tho I could wiſh ſome Perſon who had made great Enquiries into the Law, had taken that Trouble off my Hands. He asks *in what Statute theſe Words are mention'd*, when the Maxim it ſelf is Common Law, which highly differs from that which is *Statute. And this Rod is to be held*, ſays he, *in the Hands of the Repreſentative Body of the Nation, of which the King is One of the Three Eſtates.* Now to make appear that there are three Eſtates in Parliament without the King, the following Authorities may ſuffice. In the Statute of 1 *Rich.* 3. you will find this Clauſe inſerted. *Therefore at the Requeſt and by the Aſſiſtance of the Three Eſtates of this Realm*, that is to ſay, *The Lords Spiritual and Temporal, and the Commons of this Land, Aſſembled in this preſent Parliament. Be it*, &c. By this it is Evident, That the King is not reputed One of the Three, but the Perſon to whom the Requeſt is made by the Three Eſtates, that is to ſay, Lords Spiritual and Temporal, and Commons.

Jeſt. Nothing can be plainer. Dear Rogue, I could Hug thee for this Statute, it has put new Life into me, for I gave the Cauſe over for loſt, as ſoon as I heard of that Aſſertion, and muſt be ſincere with you that I thought He had Affirm'd nothing but what he was in the Right of.

Earneſt. To give you clearer Convictions. you are to look into *Rot. Parl.* 3 *H.* 6. *N.* 9. where it is ſaid in the Record. *The Three Eſtates Aſſembled in this preſent Parliament.* In the Explanation of the Duke of *Bedford*'s Power as Protector, where this is alſo included. *It was adviſ'd and appointed by the Authority of the King, Aſſenting with the Three States of the Realm*; ſo that nothing can be more Manifeſt, than that the King was not then accounted one of them. *Rot. Parl.* 3. *H.* 6. *N.* 19. In 11 *H.* 6. The Duke of *Bedford* appear'd in Parliament, and declar'd of his Coming, *Coram Domino Rege, & tribus Statibus Regni*, Before the King and the Three Eſtates of the Realm, where the King is plainly Diſtinct from the Three Eſtates. *Rot. Parl.* 11. *H.* 6. *N.* 10. 1 *Eliz.* cap. 3. The Act of Recognition of Q. *Eliz.* to the Imperial Crown of this Realm, where ſtiling themſelves her humble, faithful, and obedient Subjects (Terms altogether unſuitable to Co-ordinate Powers) Lords Spiritual and Temporal, and Commons in Parliament aſſembled, after having ſet forth the Queen's Title to the Crown by inheritable Deſcent and Lineal Succeſſion, they proceed as followeth: *For which Cauſes, We your moſt Loving, Faithful, Obedient Subjects, repreſenting the Three Eſtates of your Realm of* England.

Here are Three Eſtates in Parliament, repreſenting the whole Body of the Kingdom, owning themſelves Faithful and Obedient Subjects to the Queen, who therefore cannot be one of them, it being impoſſible ſhe ſhould be both Sovereign and Subject too, as ſhe muſt be, if one of the Three Eſtates of the Realm.

23. *H.* 6. *N.* 11. *Preſente Domino Rege, & tribus Statibus in preſente Parliamento exiſtentibus, &c.* Our Lord the King being preſent, and the Three Eſtates in the preſent Parliament Aſſembled.

28. *H.* 6. *N.* 9. *Domino Rege, & tribus Regni Statibus in pleno Parliamento Comparentibus, &c.* Our Lord the King and the Three Eſtates in full Parliament appearing, *&c.* By theſe 2 laſt Records, it is evident, that the King was not in thoſe Times reckon'd one of the Three Eſtates, There being Three Eſtates beſides the King, and conſequently he cannot be One of the Three.

Jeſt. I hold my ſelf much indebted to you for this kind Explanation, and ſhall make it my Endeavour to diſperſe it whatever Company I ſhall come into, in order to recover them from the Prejudice they have Imbib'd from this Republican Author's Aſſertions. Methinks here is ſomewhat like a Handle for an Indictment; I'll acquaint *Robin Stevens*

Stevens with it, and it will not be long from the Attorney General's Ears, you may take his Word for it.

Earneſt. To Clip the Prerogative, is equally Treaſon with defacing the Coin, and a Jury-man that has any Regard to the Regal Authority, muſt find ſuch a Bill, though his laſt was flung out. But to leave him Fiſhing from dangerous and Treaſonable Opinions out of *John Calvin*'s Inſtitutes, to prove that Kings can do no Wrong, and are not accountable to their Pople, give me leave to ask you how Matters ſtand beyound the Seas, and then you ſhall have the Reſolutions I promiſed you in my laſt.

Jeſt. The Confederates have Taken *Huy*, and are in danger of loſing *Briſac*, the Duke of *Burgundy* is ſate down before it with a Hundred and Twenty Canon, and vaſt Quantities of other Warlike Stores. I muſt deal plainly with you, the *Germans* move ſo ſlowly, that in all probability it will be in the Hands of the Enemy, before General *Trungen* will come up to its Relief.

Earn. Not unlikely, it's a Town of the higheſt Importance to the *French*, and the ſecond Prince of the Blood would ſcarce open his Trenches before it, unleſs he had good Aſſurance of its Surrendry. But I have worſe News than all this to tell you, ſuch a Revolution has happen'd in *Turky*, the Gazett informs, as may Ruine the Confederate Intereſt at the Port.

Jeſt. Heavens grant your Intelligence may be falſe —— I Sweat to think of it — The Emperor is weak on that Frontier, and has enough upon his Hands in *Hungary*, to Suppreſs the Rebels that are Aſſembled under Prince *Ragotzi*, without ſuch Obſtacles as a Declaration of War will put in his way.

Earn. The *Vizier* and *Mufty*, they tell me are Strangled, and the *Grand Seignior* Himſelf Depos'd, which may be of the laſt Conſequence to the *Grand Alliance*, ſince the *French* do that to foment Diſturbances, and their Ambaſſadours Secretaries Landing at *Naples*, and Riding Poſt to *Paris*, gives me grievous Suſpicions of their Intereſt in that Port. But I hope for the beſt, it may be nothing but an empty Surprize, though nothing can be more likely than that the *French Louis d'ors* have a good underſtanding with the *Turkiſh* Purſes.

Jeſt. They cannot Injure us, by reaſon of our Scituation. *Turky* is a great way from *England*, and it's the Emperor's fault, if he does not make uſe of ſuch means may Traverſe their Deſigns.

Earneſt. You make a ſlight matter of our Chiefeſt Confederate. I tell you the bare Reflection upon what is Tranſacted in that Court occaſions the greateſt Horrour. We are bound by ſolemn Treaties, and the ſtricteſt Engagements to ſtand by them Offenſively and Defenſively, and certainly we cannot but be Concern'd at the Misfortunes of our neareſt Ally.

Jeſt. You are too much upon the Diſmal —— Qualify your ſelf with a moderate *Reſolution* or two, for I long to get out of this Doleful Subject.

Earneſt. A Man muſt keep his Word, I ſee, with you, or he will not want to be told of it. Lord have mercy upon me —— If I was *Inſolent*, how ſhould I be Teas'd and Perſecuted to make me lay down the utmoſt Farthing! To get out of your Debt therefore, give me your Receipt, and there's your Tale of Lines to a Syllable.

Reſolv'd, That City Cuſtards are of too Apertive a Nature for Diſſenting Conſtitutions; and a ſort of People that are troubled with a *Looſeneſs*, would abſtain from ſuch Catholicks as will inflame it.

Reſolv'd. Diſſentiente Lacte Scombra. That no Reformation Magiſtrate ſhall buy Bread upon *Sundays*, and that the Corruption of one Juſtice of Peace, ſhould be the Generation of another.

Reſolved. Diſſentiente Domino Sachelbead, That ſet Speeches to Princes, and Extempore Prayers to God, to ſhew a diſreſpect to the Deity, and that the Supream Being of all Things, ſhould not have leſs Honour pay'd Him, than His Vice-Gerent.

Reſolved, That the *Geneva* Booth in *Jewin-ſtreet* is a Scandal to the Church, and that the Miniſter of that Pariſh makes but an Indifferent Paſtor, that can't keep his Sheep together, when the Wolves are under the very Noſe of him, and ready to pick up the Straglers.

Reſolved, That the only way to encourage Virtue is to ſuppreſs Vice, and that Slovenlyneſs in Devotion, when *Decency and Order* are required of us by God Almighty, argues a want of Sence, as well as Manners.

Reſolved, That thoſe who are guilty of the very Aſſertions that Collonel *Sidney* died for, ſhould meet with Collonel *Sydney*'s Fate, and what is Treaſon in one Reign, does not alter its Property, without an Act of Parliament in another.

Reſolved, *Nemine Contradicente.* That he that uſes the Regicides Arguments, muſt be of Conſequence, the Regicides Friend; and if *Scribere eſt Agere* be a receiv'd Maxim that holds good in Law, then the *Obſervator* is guilty of a much greater Crime than a Miſdemeanour.

ADVERTISEMENT.

THe *High-Conſtable of* Henly upon Thames *gives Notice, that having given the ſaid Town of* Henly *the Satisfaction of ſeeing him Wheel'd up* Chalk-Hill *in a Wheel-Barrow, on the* 25*th. of* Auguſt *laſt paſt, he deſigns to ſhew himſelf once more in that Venerable Condition on the Ninth of this preſent* September. *Note, That he is a Mercer, and ſhould the People Salute him as they did then, with Ordure and Piſs, he can ſoon furniſh himſelf with other Cloaths. If the Poor Fellow that is to Drive him, leaves him upon the Hill, he can only be ſaid to fling the Rubbiſh of the Town there; for ſuch a Lump of Magiſtracy was never yet ſeen in Town, City, or Country. The Spectators, in all appearance, will be very Numerous, and you are deſir'd to come as Early as you can, on Account of having the better Places.*

At the Black Boy *in* Smithfield, *from Morning to Night, are to be ſeen, A Parcel of Monſters, call'd, Shoulder-Dabbers, ſomething like Cannibals, but of a more Devouring Nature. If you are in no Man's Book, you may venture near 'em, but if they get Scent of a Debt, you are inſtantly Torn 'n Pieces. The beſt way for any Man under Circumſtances, is to avoid going to the Fair, for they fly at all they meet without Money, and will carry poor Defendants to their Burying-Place in the Compter, before they are dead.*

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